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North Carolina Sterilization Statute

August 1963

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State of North Carolina. (1933, c.224,s.5; 1957,c.1357,s.16; 1959,c.1019; 1963,c.1166,s.10.)

35-40.1. Eugenics Board authorized to accept gifts. The Eugenics Board of North Carolina is hereby authorized and empowered to accept gifts from any source to be used by the Board for the furtherance of the purposes for which said Board was created. (1945,c.784.)

35-41. Quarterly meetings. The Board of Eugenics shall meet at least quarterly in each year in Raleigh for the purpose of hearing all cases that may be brought before it and shall continue in session with appropriate adjournments until all current applications and other pending business have been disposed of. The members shall receive no additional compensation for their services. (1933,c.224,s.6.)

35-42. Secretary of Board and duties. The Board shall appoint a secretary not a member of the Board who shall conduct the business of the Board between the times of the regular meetings. Such secretary shall receive all petitions, keep the records, call meetings, and in general act as the executive of said Board in such matters as may be delegated to him by said Board. (1933,c.224,s.7.)

35-43. Proceedings before Board. Proceedings under this article shall be instituted by the petition of said petitioner to the Eugenics Board. Such petition shall be in writing, signed by the petitioner and duly verified by his affidavit to the best of his knowledge and belief. It shall set forth the facts of the case and the grounds of his opinion. The petition shall also contain a statement of the mental and physical status of the patient verified by the affidavit of at least one physician who has had actual knowledge of the case and who in the cases of inmates or patients of institutions described in 35-36 may be a member of the medical staff of said institution. The Eugenics Board may require that the petitioner submit additional social and medical history in regard to the inmate, patient, or individual resident and his family. The prayer of said petition shall be that an order be entered by said Board authorizing the petitioner to perform, or to have performed by some competent physician or surgeon to be designated by him in the petition or by said Board in its order upon said inmate, patient or individual resident named in said petition in its discretion that the operation of sterilization or asexualization as specified in 35-36 which shall be best suited to the interests of the said inmate or patient or to the public good. (1933, c.224,s.8; 1935,c.463,s.2.)

35-44. Copy of petition served on patient. (a) A copy of said petition, duly certified by the secretary of the said Board to be correct,